

Appl. No. 10/696,957
Amdt. dated April 15, 2005
K1817D - Amendment

REMARKS

This amendment is in response to the Office Action mailed December 22, 2004. Claims 16-20 were in the application. Claims 16 and 18 were rejected. The examiner objected to claims 17, 19, and 20. The applicants wish to extend thanks to the examiner for his indication of allowable subject matter. Pursuant to the examiner's suggestion, claim 16 has been amended to claim that a vertical surface portion of said U-shaped depression provides mechanical resistance to displacement from a bit body and that the U-shaped depression forms a void that makes said insert approximately between 30%-50% by weight less than an insert of equal dimension without a depression therein. New matter is not added to this application by this amendment. Support for these amendments can be found in the specification on page 8, lines 24-33; in claim 19; on page 7, line 33, through page 8, line 7; and in claim 17. Claims 17 and 19 have been canceled.

35 USC §102 (b) Rejection Woods et al. (5,184,925)

Claims 16 and 18 were rejected under 35 USC §102(b) as being anticipated by Woods et al '925.

Claim 16 has now been amended to include the limitations found in claims 17 and 19. Thus, applicants respectfully assert that Woods et al '925 does not teach or suggest a bit insert comprising a pair of oppositely facing generally parallel side surfaces, a pair of oppositely inclined top surfaces extending between said side surfaces, and a U-shaped depression extending upward from the bottom of said insert wherein a vertical surface portion of said U-shaped depression provides mechanical resistance to displacement from a bit body, and wherein the U-shaped depression forms a void that makes said insert approximately between 30%-50% by weight less than an insert of equal dimension without a depression therein.

Applicants contend that prior art is anticipatory only if every element of the claimed invention is disclosed in a single item of prior art in the form literally defined in the claims. Therefore, applicants respectfully contend that Woods et al '925 cannot be held to anticipate claim 16 and dependent claims 18 and 20 as now amended.

Accordingly applicants respectfully request that the rejection of claims 16 and 18 under 35 USC §102(b) as being anticipated by Woods et al. '925 be withdrawn and that claims 16, 18 and 20 be allowed.

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In view of the above amendments and comments, it is believed that claims are patentable over the art of record. Thus, applicants respectfully request issuance of a Notice of Allowance indicating claims 16, 18 and 20 are allowed.

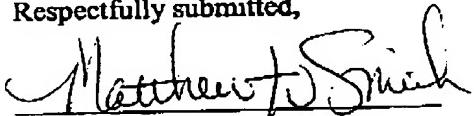
If for any issue remains that could reasonably be resolved on the telephone, the Examiner is requested to telephone the undersigned at 724-539-3848 in order to expedite prosecution of the application.

Extension of Time

Applicants hereby Petition for an extension of time of one month from the Office Action date of December 22, 2004, until April 22, 2005. Please charge the petition fee for such extension to Deposit Account No. 502832.

The Commissioner is hereby authorized to charge any fees, including additional filing fees required under 37 CFR 1.16 and 1.17, in connection with this submission, to Kennametal Inc. corporate Deposit Account No. 502832.

Respectfully submitted,



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